

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, MAY 18, 1999
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:09 a.m. Mayor Golding recessed the regular meeting at 11:39 a.m. to convene the Redevelopment Agency. The regular meeting was reconvened by Mayor Golding at 12:02 p.m. with all Council Members present. Mayor Golding adjourned the meeting at 12:03 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Dale Lowrimore of the Horizon Christian Fellowship.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Stallings.

FILE LOCATION: MINUTES

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comment by Nicholas Moffit regarding public housing. He suggested that the City and County Administrators make a joint effort to provide more public housing. He also suggested that at least 1200 units be designated for senior citizens.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A047-074.)

PUBLIC COMMENT-2:

Comment by Don Stillwell encouraging Council to read pages 1, 3, and 10 of the May 10, 1999 Spotlight Newspaper pertaining to: 1) Untapped mineral resources in Kosovo; 2) NATO and the United States supporting the Kosovo Liberation Army (KLA) which was on the list of terrorist organizations issued by the U.S. Department of State until 1997; and 3) NATO forming a United Nations army.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A075-097.)

PUBLIC COMMENT-3:

Comment by William Claycomb, representing Save Our Bay, Inc., stating that in 30 years no one will be going to service stations for gasoline because the fuel cell using hydrogen, may replace the internal combustion engine which burns gasoline, diesel, natural gas and other hydrocarbons.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A098-124.)

PUBLIC COMMENT-4: REFERRED TO CITY MANAGER

Comment by Joyceline Tarr regarding the following issues: 1) The palm trees that have not been trimmed in Ocean Beach for over one year, needs trimming; 2) Several years ago Ms. Tarr stepped on a tree trench and as a result is crippled today. She suffers day and night with pain and has paid an enormous amount of money for medical prescriptions that her insurance did not pay for. Ms. Tarr stated that the City has not compensated her for one penny; 3) Several weeks ago, at the Burger King on Broadway, there was a big piece of steel sitting on a ledge. Ms. Tarr witnessed a woman injuring herself when she walked on the steel and it gave way. Ms. Tarr asked Council why the steel piece was not welded down to prevent such an accident; and 4) Ms. Tarr informed Council that she has pictures of pieces of marble glass that are missing from the pavement in front of Hotel San Diego near Burger King. She informed Council that she sees ladies stumbling there every week and nothing has been done about it.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A126-153.)

PUBLIC COMMENT-5:

Comment by Mel Shapiro stating that the County has 96 housing employees and the City has 246 housing employees. He questioned why the City should be staffed with 150 more than the County with essentially the same budget. He also expressed his concern that the City Housing Commission has only two employees per supervisor.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A154-179.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Comment by Council Member Kehoe stating that last Sunday 38 San Diego women bicyclist left for Florida from Spanish Landing at the kickoff for the "Pedal

for the Cure” bike ride fundraiser in support of curing breast cancer. She announced that when they return she will be bringing them to Council to adopt a resolution in their honor.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A181-190.)

COUNCIL COMMENT-2:

Comment by Council Member McCarty acknowledging and welcoming the Student Council from Hearst Elementary School in Del Cerro.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A191-197.)

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS: APPROVED

Approval of Council Minutes for the meetings of:

04/26/99
04/27/99
05/03/99 Adjourned
05/03/99 Special
05/04/99
05/04/99 Special

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A198-201.)

MOTION BY STALLINGS TO APPROVE. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31: Fiesta de los Peñasquitos Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1155) ADOPTED AS RESOLUTION R-291591

Proclaiming May 2, 1999 to be "Fiesta de los Peñasquitos Day" in San Diego in recognition of outstanding community volunteers and urging all San Diegans to strive toward a sense of community spirit.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A202-274; B036-039.)

MOTION BY WEAR TO ADOPT ITEMS 31, 32, 33, 34, 35, AND 36. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-32: Recognizing the One Millionth Meal Served by Mama's Kitchen.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1296) ADOPTED AS RESOLUTION R-291592

Commending the Board of Directors, staff and volunteers of Mama's Kitchen for their efforts to provide nutrition and support to those individuals and their families affected by HIV/AIDS;

Recognizing the one millionth meal served by Mama's Kitchen and to further increase the awareness of HIV/AIDS in San Diego.

(Continued from the meeting of May 4, 1999, Item 317, at Councilmember Stevens's recommendation, for further review.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A383-443; B036-039.)

MOTION BY WEAR TO ADOPT ITEMS 31, 32, 33, 34, 35, AND 36. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-33: Digale A Una Amiga Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1205 Cor.Copy) ADOPTED AS RESOLUTION R-291593

Commending "Digale A Una Amiga" program for reaching a part of our community where late stage breast cancer diagnoses are prevalent;

Proclaiming May 18, 1999 to be "Digale A Una Amiga Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A444-543; B036-039.)

MOTION BY WEAR TO ADOPT ITEMS 31, 32, 33, 34, 35, AND 36. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-34: Bike to Work Day.

COUNCILMEMBER STALLINGS'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1192) ADOPTED AS RESOLUTION R-291594

Proclaiming May 21, 1999 to be "Bike To Work Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A544-616; B036-039.)

MOTION BY WEAR TO ADOPT ITEMS 31, 32, 33, 34, 35, AND 36. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-35: SAY Day at the Bay 1999.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-99-810) ADOPTED AS RESOLUTION R-291595

Recognizing the accomplishments of Social Advocates for Youth, SAY San Diego, and proclaiming May 22, 1999 as "SAY Day at the Bay 1999" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B003-039.)

MOTION BY WEAR TO ADOPT ITEMS 31, 32, 33, 34, 35, AND 36. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-36: Emergency Medical Services Week.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1305) ADOPTED AS RESOLUTION R-291596

Proclaiming May 16 through 22, 1999 as "Emergency Medical Services Week" in San Diego and encouraging the community to observe appropriate programs, ceremonies and activities this week.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A275-382; B036-039.)

MOTION BY WEAR TO ADOPT ITEMS 31, 32, 33, 34, 35, AND 36. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-50: Transfer of Non-Exclusive Solid Waste Collection Franchise.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 4/26/99.
(Council voted 9-0):

(O-99-112) ADOPTED AS ORDINANCE O-18646 (New Series)

Transferring the Non-exclusive Franchise Agreement from Mashburn Waste and Recycling Services, Inc. to EDCO Disposal Corporation.

NOTE: 6 votes required pursuant to Section 103 of the City Charter.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-51: Non-Exclusive Solid Waste Franchises.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 4/26/99. (Council voted 9-0):

(O-99-113) ADOPTED AS ORDINANCE O-18647 (New Series)

Awarding nonexclusive solid waste collection franchises to Norcal Disposal and Recycling, Inc., and John Smith Earthworks;

Authorizing the City Manager to execute franchise agreements with the haulers.

NOTE: 6 votes required pursuant to Section 103 of the City Charter.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-52: EmTek Fund Phase Two Recapitalization.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 4/26/99. (Council voted 9-0):

(O-99-108) ADOPTED AS ORDINANCE O-18648 (New Series)

Authorizing a Recoverable Grant Agreement and Note with the Jacobs Center for Nonprofit Innovation to recapitalize phase two of the EmTek Fund Small Business Revolving Loan Program.

NOTE: 6 votes required pursuant to Section 99 of the City Charter. A notice of the public hearing was published in the Daily Transcript on 5/5/99.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-53: Schedule of Compensation for Officers and Employees of the City of San Diego for Fiscal Year 1999-2000.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 5/4/99. (Council voted 9-0):

(O-99-118) ADOPTED AS ORDINANCE O-18649 (New Series)

Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 1999-2000.

NOTE: See Item 110 on today's docket for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-54: Amending the San Diego Municipal Code relating to Transient Occupancy Tax.

CITY ATTORNEY'S RECOMMENDATION:

Introduce the following ordinance:

(O-99-124) INTRODUCED, TO BE ADOPTED JUNE 1, 1999

Introduction of Ordinance amending Chapter III, Article 5 of the San Diego Municipal Code by amending Section 35.0102 to add a definition of "Successor to Operator" and amending Section 35.0118 to provide the Hearing Officer assigned by the City Manager a reasonable amount of time to hold an appeal hearing relating to Transient Occupancy Tax.

SUPPORTING INFORMATION:

The City Attorney vigorously pursues collections matters against individuals and entities who fail to pay the City amounts lawfully owed, including amounts owed under the City's Transient Occupancy Tax (TOT) Ordinance. In the course of litigating these cases the City Attorney has determined that clarifying the ordinance to add a definition of Successor to Operator would enhance the ability to collect TOT from hotel owners. Currently the ordinance makes a successor operator liable for outstanding TOT. However, some owners of smaller hotels lease or sell their properties to another person to actually operate the hotel. Subsequently, when the owners have to foreclose, they do not acknowledge that they are a "successor" for purposes of paying outstanding TOT. (As the former owner, they do not acknowledge they are still a "successor".) The change we propose would clarify their liability and make it easier to collect those outstanding amounts. Section 35.0118 (b) of the TOT Code currently reads: "When an appeal from the

hearing board for remaining taxes and penalties exceeding \$750 is filed, the City Manager shall cause the appeal to be assigned to a Hearing Officer, who shall schedule a hearing to be heard within ten (10) days thereafter. The hearing officer, appellant, and representatives from the City Treasurer, Auditor and Comptroller, and City Attorney Departments attend the appeal hearing. Because of the number of parties involved, scheduling and holding a hearing within ten days is often difficult. Amending the TOT Code to allow the hearing officer additional time to schedule and hold the appeal hearing would provide more flexibility.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO INTRODUCE. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-100: Four actions related to the Final Subdivision Map of Fairbanks Highlands.

(This is a 109-lot subdivision. Torrey Highlands Community Area. District - 1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1109) ADOPTED AS RESOLUTION R-291597

Authorizing a Subdivision Improvement Agreement with Fairbanks Highlands, L.L.C., for the installation and completion of public improvements.

Subitem-B: (R-99-1108) ADOPTED AS RESOLUTION R-291598

Approving the final map.

Subitem-C: (R-99-1110) ADOPTED AS RESOLUTION R-291599

Authorizing a Landscape Maintenance Agreement with Fairbanks Highlands, L.L.C., for the installation and completion of public improvements.

Subitem-D: (R-99-1111) ADOPTED AS RESOLUTION R-291600

Accepting a grant deed of Fairbanks Highlands, L.L.C., granting to the City Lots "A", "C", "E" and "F" of Fairbanks Highlands, for open space purposes.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 379.667 acre site into 109 lots for residential development. It is located north and south of Carmel Valley Road in the Torrey Highlands Community, previously Subarea IV of the Future Urbanizing Area. On December 5, 1995 the Council of the City of San Diego approved Vesting Tentative Map VTM-88-1041 by Resolution No. R-286758 and PRD/RPO Zone Project by Resolution No. R-286756 for Fairbanks Highlands Subdivision. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing Nos. 29248-1-D through 29248-22-D, filed in the Office of the City Clerk under Micro No. 139.97. All improvements are to be completed within two years. Permit No. W47483 has been issued for grading as shown on Engineering Drawing No. 29224-D (1-18). A Performance Bond in the amount of \$2,698,000 has been provided to ensure the completion of the grading. The Engineer's estimate for the cost of public improvements is \$4,852,319 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$15,600, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located within the Torrey Highlands Community and is within a Public Facilities Financing Plan which provides for the payment of an assessment for public facilities. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development". Subdivider shall enter into a Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, until another mechanism is established and assumes maintenance responsibility. Lots "A", "C", "E" and "F" are being deeded to the City at no cost as a condition of Tentative Map approval. The lots total 216.409 acres in size. No park fee credit is being granted by this action. The lots are to be used for open space purposes.

FILE LOCATION: Subitems A, B, & C: SUBD-Fairbanks Highlands (40)
Subitem D: DEED F-7484

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-101: Two actions related to the Final Subdivision Map of Torrey Hills Unit No. 15.

(This is an 85-lot subdivision. Sorrento Hills Community Area.
District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1242) ADOPTED AS RESOLUTION R-291601

Authorizing a Subdivision Improvement Agreement with Torrey Hills Development II, L.L.C., for the installation and completion of public improvements.

Subitem-B: (R-99-1241) ADOPTED AS RESOLUTION R-291602

Approving the final map.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 17.962 acre site into 85 lots for residential development. It is located north of Carmel Mountain Road in the Sorrento Hills Community Plan area. On March 17, 1997, the Council of the City of San Diego approved Vesting Tentative Map VTM-95-0554 Torrey Hills by Resolution No. R-288438 for Torrey Hills Unit No. 15 Subdivision. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvement required for this subdivision are shown in detail on Drawing Nos. 29034-1-D through 29034-8-D, filed in the Office of the City Clerk under Micro No. 139.99. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$1,184,852.57 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$23,000, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located in the Sorrento Hills Community area. This subdivision has a development agreement which provides for the payment of public facilities. This community may be subject to impact

fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued. Subdivider, by letter, has given assurance to the City of San Diego that they subscribe to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development".

FILE LOCATION: Subitems A & B: SUBD-Torrey Hills Unit No. 15 (40)

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-102: Three actions related to the Final Subdivision Map of Sabre Springs, Parcel 11.

(This is an 80-lot subdivision. Sabre Spring Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1113) ADOPTED AS RESOLUTION R-291603

Authorizing a Subdivision Improvement Agreement with Pardee Construction Company for the installation and completion of public improvements.

Subitem-B: (R-99-1112) ADOPTED AS RESOLUTION R-291604

Approving the final map.

Subitem-C: (R-99-1114) ADOPTED AS RESOLUTION R-291605

Accepting a grant deed of Pardee Construction Company, granting to the City Lots 75 and 78 of Sabre Springs, Parcel 11 for open space purposes.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 55.626 acre site into 80 lots for residential development. It is located south of Sabre Hill Drive in the Sabre Springs Community Plan area. On August 4, 1998, the Council of the City of San Diego approved City Council Resolution Nos. R-290594 and R-290595 for Sabre Springs, Parcel 11 Subdivision. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing Nos. 294301-1-D through 29430-32-D, filed in the Office of the City Clerk under Micro Number 139.98. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$1,543,436 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$22,400, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located in the Sabre Public Facilities Financing Plan area, which provides for the payment of a Facilities Benefit Assessment (FBA), including parks, at the time of building permit issuance. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development". Lots 75 and 78 are being deeded to the City at no cost as a condition of Tentative Map approval. The lots total 32.857 acres in size. No park fee credit is being granted by this action. The lots are to be used for open space purposes.

FILE LOCATION: Subitems A & B: SUBD-Sabre Springs, Parcel 11 (40);
Subitem C: DEED F-7485

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103: Street Vacation--Portion of Rosecrans Place and a Portion of North Evergreen Street.

(Midway/Pacific Highway Corridor Community Areas. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1228) ADOPTED AS RESOLUTION R-291606

Vacating a portion of Rosecrans Place and a portion of North Evergreen Street, under the procedure for the summary vacation of streets and public service easements of the California and Highways Code, Section 8330 et seq.

CITY MANAGER SUPPORTING INFORMATION:

The vacation of a portion of Rosecrans Place and a portion of North Evergreen Street has been requested by the adjacent property owner, Irwin Kallman, in order to facilitate the construction of a proposed Rite-Aid drug store. The portions of Rosecrans Place and North Evergreen Street proposed for vacation total 0.149 acres and are located in the Midway/Pacific Highway Community Planning Area, in Council District 2, at the intersection of Rosecrans Place and North Evergreen Street. A letter dated September 4, 1998 from the Midway Community Planning Advisory Committee stated that they had recommended approval of the proposed vacation by a vote of 8-1 on September 1, 1998.

Findings: Staff review had found that the right-of-way to be vacated may be summarily vacated and that the four required findings for vacation can be made.

FILE LOCATION: STRT-J-2897 (39)

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104: Easement Vacation in Parcel 2 of Parcel Map PM-5051.

(Mission Valley Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1229) ADOPTED AS RESOLUTION R-291607

Vacating the two sewer easements in Parcel 2 of Parcel Map PM-5051 located within the Mission Valley Community Area, under the California Streets and Highways Code, Section 8330 et seq.

CITY MANAGER SUPPORTING INFORMATION:

The City Council is requested to vacate two unneeded sewer easements. The site is located in the Mission Valley Community Area. The existing easements are being relocated to replace a collapsed sewer pipe under an existing building. A replacement sewer easement has been granted to the City and accepted by the City Engineer as shown on Drawing No. 18874-2-B. The easements to be vacated and the new easement were acquired at no cost to the City. Staff recommends approval.

FILE LOCATION: DEED F-7486

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-105: Reclaimed Water Easement Affecting City-Owned Land.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1206) ADOPTED AS RESOLUTION R-291608

Setting aside portions of Pueblo Lots 1323, 1324, 1330, 1331, and 1333 for the reclaimed water pipeline on Torrey Pines Golf Course property.

CITY MANAGER SUPPORTING INFORMATION:

The City recently completed the North City Water Reclamation Plant, near Interstate 805 and Miramar Road, to reclaim wastewater to a level suitable for irrigation and industrial use. An extensive network of pipelines is being installed to distribute this reclaimed water to areas as far west as Torrey Pines and University City, and as far north as Scripps Ranch and the City of Poway. The entire distribution system will be composed of nearly 45 miles of pipelines, a storage tank, and a pump station. The pipelines range in diameter from 4 inches to 48 inches. City-owned Torrey Pines Golf Course is one of the users of the reclaimed water. The pipelines serving the golf course were previously authorized and installed along Genesee Avenue, North Torrey Pines Road, and through the parking lot and driving range of the golf course. The Park & Recreation, Water, and Metropolitan Wastewater Departments have entered into a Memorandum of Understanding governing the sale and distribution of the reclaimed water to Torrey Pines Golf Course and maintenance of the pipeline system. The proposed action is to set aside a 20-foot-wide easement for the portion of the reclaimed water pipeline on Torrey Pines golf course property, containing about 1.69 acres. The easement will be recorded with the County Recorder to establish its existence in the public records.

FILE LOCATION: DEED F-7487

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106: Easement Grant - San Diego Gas & Electric - City Heights Mini-Park.

(City Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1236) ADOPTED AS RESOLUTION R-291609

Authorizing the City Manager or his designee to execute an Easement Deed conveying to San Diego Gas & Electric Company an easement for Lots 15 and 16 in Block 138 of City Heights, according to Map 1007, which will provide illumination for City Heights Mini-Park located at the corner of 39th and Quince Streets.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego has requested SDG&E to provide electrical service to a City-owned pole and street light, which will provide illumination for City Heights Mini-Park, located at the corner of 39th and Quince Streets. An easement over City land will be required. Since this project directly benefits a City park, there will be no charge for the easement. The easement area is 160 feet long and 2 feet wide, totaling 320 square feet.

FILE LOCATION: DEED F-7488

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-107: Kids Day America/International.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1281) ADOPTED AS RESOLUTION R-291610

Commending and thanking Doctors of Chiropractic for their tireless efforts to help educate citizens on the importance of Health, Safety and Environmental issues affecting our community;

Proclaiming Saturday, May 15, 1999 to be "Kids Day America/International" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-108: Renewal of Lease Agreement - Adult Protective Services, Inc.

(City Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1127) ADOPTED AS RESOLUTION R-291611

Authorizing the City Manager to execute a five-year lease agreement with Adult Protective Services, Inc., for the office space located at 4077 Fairmount Avenue, San Diego, California, at an initial annual rent of \$18,000.

CITY MANAGER SUPPORTING INFORMATION:

The City owns a 2,975-square-foot building located at 4077 Fairmount Avenue in San Diego. The building has been leased to Adult Protective Services, Inc. (APS), a nonprofit corporation, since March 1, 1985. APS provides transportation, nourishment, nursing social service, recreation, rehabilitation and psychological services to low income seniors at a nominal fee. The existing agreement expired on November 30, 1998. APS requested a renewal of the existing lease for an additional 5-year term. APS has an excellent payment history and agreed to pay fair market rent of \$18,000 per year. On February 10, 1999, the Public Safety and Neighborhood Services Committee recommended a renewal of the lease.

The basic terms and conditions of the new lease:

Premises - 2,975 square feet building.

Term - Five years.

Use - Operate a center to provide adult health service and recreation to low income seniors.
Rent - \$18,000 annual rent (\$1,500 per month) with the Consumer Price Index (CPI).
Adjustments at the end of each year.
Maintenance - Lessee is responsible for maintenance, utilities and insurance of the premises throughout the term.

By renewing the lease agreement APS will continue to provide affordable health services to low income seniors. The City will receive fair market rent on the leased property.

FILE LOCATION: LEAS-Adult Protective Services, Inc.

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-109: Seeking Matching Funds for Coastal Conservancy Funding for Chollas Creek Enhancement Program.

(Southeastern Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1195) ADOPTED AS RESOLUTION R-291612

Authorizing the City Manager to apply to the California Coastal Conservancy, for matching grant funding for the Chollas Creek Enhancement Program;

Authorizing the execution of all documents, including applications, contracts, agreements, and amendments, necessary to implement and carry out the purposes of the California Coastal Conservancy Matching Grant program;

Authorizing the City Manager to accept and expend funds from the California Coastal Conservancy to carry out and administer the City obligations, responsibilities, and duties under the terms of Grant.

CITY MANAGER SUPPORTING INFORMATION:

Chollas Creek is a natural drainage creek that traverses Southeastern San Diego from Mid-City and Lemon Grove to the San Diego Bay. The natural drainage area has been substantially modified over the years by urban development. In the past 50 years, freeway and other development have further segmented the creek's geography. The creek has been the subject of neighborhood discussion for its restoration and enhancement as a linear park through the Greater Mid-City and Southeastern communities. A historically important by-way to San Diego native groups, today the creek may hold the key to the qualitative revitalization of its surrounding neighborhoods.

Chollas Creek is made up of three branches: The Main Branch, South Chollas Creek, and Encanto Creek. The Main Branch begins just south of University Avenue in Mid-City and generally follows SR- 94 and I-15 and San Diego Bay at the 32nd Street Naval Station. South Chollas Creek is the longest branch and begins in Lemon Grove and follows along the south side of SR-94 through City of San Diego-owned open space. The Encanto Creek begins in Lemon Grove and follows the Imperial Avenue Corridor until it merges with the South Branch near the intersection of Euclid and Market, just west of the trolley station.

Policies for Chollas Creek Enhancement are contained in the Mid-City, Southeast, and Barrio Logan Community Plans. Planning and Development Review staff are in the process of putting together the Chollas Creek Enhancement Program designed to outline implementation of already adopted Council Policy in the three Community Plans identified above.

Staff has been advised that the Coastal Conservancy is interested in providing some financial support for projects within the Chollas Creek Enhancement Program Area. One such project is the Market/Euclid PLACE³S Area to implement the Revitalization Program. In order to continue discussion on the funding, the Coastal Conservancy is requesting a Resolution from the City Council expressing support for the effort.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-110: Three actions related to Preparation of Resolutions relating to the FY 2000 Salary Ordinance.

PERSONNEL DIRECTOR'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1189) ADOPTED AS RESOLUTION R-291613

Approving the classifications of personnel in the Classified Service of the City of San Diego eligible for premium or regular rate overtime, effective upon adoption of the resolution through June 30, 2000.

Subitem-B: (R-99-1190) ADOPTED AS RESOLUTION R-291614

Amending the classifications previously designated by the Council as appropriately assigned to employee representation units to reflect additions of new classes, removal of deleted classes, and changes to titles.

Subitem-C: (R-99-1191) ADOPTED AS RESOLUTION R-291615

Establishing and adopting a Cafeteria Benefits Plan for all designated eligible employees for Fiscal Year 2000, providing dollar sums for each eligible employee, to be allocated to benefits as designated in the plan;

Declaring that the funds appropriated for this plan shall be as set in the Annual Appropriation Ordinance.

NOTE: See Item 53 on today's docket for a companion item.

FILE LOCATION: Subitems A, B & C: MEET

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-111: Kensington/Normal Heights Branch Library Fund.

(Kensington/Normal Heights Community Areas. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1151) ADOPTED AS RESOLUTION R-291616

Authorizing the City Manager to create the Kensington/Normal Heights Branch Library Fund, to be used to fund improvements at the branch, including, but not limited to, the purchase of furnishing, fixtures, equipment, supplies, and library materials;

Authorizing the City Auditor and Comptroller to establish an interest-bearing account for the purpose of handling the accounting for the Kensington/Normal Heights Branch Library Fund to facilitate the receiving of donations to benefit the branch.

CITY MANAGER SUPPORTING INFORMATION:

From time to time, donations are made to benefit a particular branch library, either through a bequest, another form of planned gift, or a straight cash donation. In December, Mrs. Albert Woodard donated \$10,000 to the Kensington/Normal Heights library for the benefit of future generations of library patrons. When donations are this sizable, it may not be in the branch's best interest to spend the entire donation immediately. Over the long-term, the branch usually will enjoy greater benefit if a part of the donation is placed in a trust fund from which funds can be spent to maintain the branch and/or purchase materials and new technology. The ability to donate to a trust fund has great appeal to donors concerned with sustaining their branches. The request will establish the Kensington/Normal Heights Branch Library Fund to facilitate the receiving of private gifts to 'endow' the branch. The proceeds of the fund and all earned interest will be used exclusively to maintain the branch as well as purchase furnishings, fixtures, equipment, supplies, and library materials as needed.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-112: Amending the FY99 CIP Budget and Accepting Funds from SANDAG for Construction of Reo Drive Sidewalk and Guymon Street Sidewalk.

(Chollas View and Skyline/Paradise Hills Community Areas. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1154) ADOPTED AS RESOLUTION R-291617

Authorizing the City Manager to accept, for and on behalf of the City, an additional \$44,000 of LTF-SANDAG Funds for improvement of Guymon Street and Reo Drive Sidewalks;

Amending the Fiscal Year 1999 CIP Budget by adding Guymon Street Sidewalk CIP-52-628.0, and by adding Reo Drive Sidewalk CIP-52-629.0;

Authorizing the appropriation of an amount not to exceed \$34,000 to Guymon Street Sidewalk CIP-52-628.0; and the appropriation of an amount not to exceed \$10,000 to Reo Drive Sidewalk CIP-52-629.0;

Authorizing the expenditure of an amount not to exceed \$34,000 from CIP-52-628.0 (Fund No. 390059) and an amount not to exceed \$10,000 from CIP-52-629.0;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

SANDAG agreed to provide additional funds needed for construction of Reo Drive Sidewalk and Guymon Street Sidewalk. This action will allow adding these projects to the FY 99 CIP and completion of both projects in FY 99.

Aud. Cert. 9901083.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-113: Transfer of funds for Bayview Pump Plant.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1134) ADOPTED AS RESOLUTION R-291618

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$159,784 from Fund 41500, CIP-73-331.0, Annual Allocation Water Pooled Contingencies to Fund 41500, CIP-73-265.0, Bayview Pump Plant.

Authorizing the expenditure of an amount not to exceed \$159,784 from Fund No. 41500, CIP-73-265.0, Bayview Pump Plant.

CITY MANAGER SUPPORTING INFORMATION:

The Bayview Pump Plant construction project was awarded to SCW Contracting in October 1998 for a contract amount of \$660,700 through the City's competitive bid process. This construction

project consists of demolishing the existing pump plant and replacing it with new pumps, mechanical piping, electrical and control equipment and a new masonry block building. Upon construction completion, the new pump plant will provide a more reliable and efficient water service to area residents. The original construction schedule targeted demolition of the existing pump plant beginning January of 1999. During the early stages of construction, it was required that the pump plant remain in service to prevent water service interruptions due to unseasonable high water demands during the months of January and February 1999. It was also determined that temporary by-pass pumping will need to be installed at the pump plant site to ensure the continued flow of water to the Soledad Mountain area while the major construction activities are being performed. Installation of this temporary pumping will serve as a supplemental source of water in the event of a pipeline break or other facility malfunctions in the systems service area. This request of \$159,784 will provide for the costs of this unanticipated work including contractor labor, materials and standby costs (to be paid by the Construction Change Order No. 1).

Aud. Cert. 9901130.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-114: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(District-8.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-99-1025) ADOPTED AS RESOLUTION R-291619

Declaring a Continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: GEN'L - State of Emergency Regarding the Discharge of
Raw Sewage from Tijuana, Mexico

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the
following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-115: Authorizing the Addition of CIP-29-479.0, Martin Luther King Jr. Community
Park - Senior Center and CIP-35-095.0, Malcom X Library Improvements.

(O'Farrell Community Area. District-4.)

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1298) ADOPTED AS RESOLUTION R-291620

Authorizing the addition of CIP-29-479.0, Martin Luther King Jr. Community
Park - Senior Center and CIP-35-095.0, Malcom X Library Improvements;

Authorizing the appropriation and transfer of \$106,370.75 from CIP-35-079.0,
Malcolm X Library, Fund 302453 to CIP-29-479.0;

Authorizing the appropriation and transfer of \$30,000 from CIP-35-079.0,
Malcolm X Library, Fund 302453 to CIP-35-095.0.

Aud. Cert. 9901080.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-150: North City Reclaimed Water Beneficial Reuse Study.

(See City Manager Report CMR-99-62; Council Committee Consultant Analysis NRC-99-1; James R. Moitoza's letter; Elaine C. Cook's 3/8/99 letter; Reynaldo Pisano's 3/30/99 letter; Mary Quartiano & Muriel Watson's 3/31/99 letter. University Community Area. District-5.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-99-1278) ADOPTED AS RESOLUTION R-291621

Authorizing the City Auditor and Comptroller to amend the Capital Improvement Program budget by deleting CIP-45-927.0, Water Repurification Project, and adding CIP-75-929.0, Reclaimed Water Beneficial Reuse Study in accordance with the 1999 Appropriation Ordinance;

Directing the City Manager to investigate alternatives to the water repurification project for the beneficial reuse of reclaimed water from the North City Water Reclamation Plant;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$250,000 within Fund No. 41500, from CIP-70-943.0, to CIP-75-929.0, Reclaimed Water Beneficial Reuse Study;

Authorizing the expenditure of an amount not to exceed \$250,000 from Fund No. 41500, CIP-75-929.0, Reclaimed Water Beneficial Reuse Study, to provide funds for investigating alternatives to the water repurification project.

NATURAL RESOURCES & CULTURE COMMITTEE'S RECOMMENDATION:

On 3/31/99, NR&C voted 5-0, to approve the City Manager's recommendations to: 1) Direct staff to discontinue any work or expenditures on and modify the Fiscal Year FY1999 Capital

Improvements Budget by canceling Capital Improvement Project CIP-45-927.0, Water Repurification Project; 2) Direct staff to investigate options other than the Water Repurification Project for the beneficial reuse of reclaimed water from the North City Water Reclamation Plant (NCWRP); 3) Modify the Water Fund's FY 1999 CIP Budget by adding CIP-75-929.0, Reclaimed Water Beneficial Reuse Study; and 4) Transfer \$250,000 from CIP-70-943.0 to CIP-75-929.0, Reclaimed Water Beneficial Reuse Study, in the Water Fund's FY 1999 CIP Budget. (Councilmembers Mathis, Kehoe, Warden, Stallings, and McCarty voted yea.)

Aud. Cert. 9901150.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200: There is no Item 200 on today's docket.

ITEM-201: Two actions related to Inviting Bids for the Construction of Water and Sewer Group 523.

(College Area and Mid-City Community Areas. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1148) ADOPTED AS RESOLUTION R-291622

Inviting bids for the Construction of Water & Sewer Group 523 on Work Order Nos. 173261/183201;

Authorizing the City Manager to establish contract funding phases and a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$1,427,684 from CIP-73-083.0, Fund 41500, and \$599,705 from CIP-44-001.0, Fund 41506, provided the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be on deposit in the City Treasury;

Authorizing City Forces to make connections and perform operational checks for an amount not to exceed \$221,143 of which \$215,543 is from Fund 41500, CIP-73-083.0 and \$5,600 is from Fund 41506, CIP-44-001.0.
(BID-K99225-C)

Subitem-B: (R-99-1149) ADOPTED AS RESOLUTION R-291623

Certifying that the information contained in the Mitigated Negative Declaration LDR-98-8544 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by the Council;

Declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Water and Sewer Group 523 is part of the City's on-going cast iron water and concrete sewer main and Capital Improvement's Annual Allocation Replacement Program. The existing mains were installed as early as 1927 and are approaching the end of their useful service life. Replacement of these deteriorated and undersized mains will continue to provide the community with a safe and reliable water and sewer infrastructure. This project is within the Mid-City and College Community areas and involves the replacement of 5,630 feet of 6-inch and 12-inch cast iron water mains and 2,750 feet of 6-inch concrete sewer mains. The following streets will be affected by the construction operations: Soria Drive; College Way; College Avenue; Carol Street;

Bradford Street; Adelaide Avenue; Meade Avenue; View Place; Malcolm Drive; and 60th Street. Residents will be notified by mail at least one (1) month prior to construction by the City and ten (10) days prior to construction by the contractor.

WWF-99-373.

FILE LOCATION: Subitems A & B: W.O. 173261/183201, CONT - Ortiz Corporation

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202: Two actions related to Inviting Bids for the Construction of Sewer and Water Group 615.

(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1259) ADOPTED AS RESOLUTION R-291624

Inviting bids for the Construction of Sewer and Water Group 615 on Work Order Nos. 182251/172091;

Authorizing the City Manager to establish contract funding phases and execute a contract with the lowest responsible bidder, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller to transfer \$100,000 from Fund 10524, CIP-21-848.0, Balboa Park-Paving Reconstruction to Water Fund 41500, CIP-73-083.0 and \$19,900 from Fund 10525, CIP-21-848.1, Balboa Park Paving Reconstruction to Sewer Fund 41506, CIP-44-001.0;

Authorizing the expenditure of an amount not to exceed \$1,667,629 from CIP-44-001.0, Sewer Fund 41506, Annual Allocation-Sewer Main Replacements;

Authorizing the expenditure of \$1,114,911 from CIP-73-083.0, Water Group 615, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves;

Authorizing the City Manager to utilize City Forces to perform highlining and connections as required in connection with the construction of Sewer and Water Group 615, indicating that the work can be done by City Forces more economically than if let by contract. The cost of the work shall not exceed \$140,793. (BID-K99233C)

Subitem-B: (R-99-1260) ADOPTED AS RESOLUTION R-291625

Certifying that the information contained in the Mitigated Negative Declaration LDR-98-1131, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council;

Declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sewer and Water Group 615 is part of the City of San Diego's continuing Annual Sewer and Water Main Replacement Program. This project is in the Balboa Park community area and consists of replacing and realigning approximately 6,465 feet (1.22 miles) of 6-inch sewer mains with 8-inch sewer mains, rehabilitating approximately 1,091 feet (0.21 miles) of 8-inch sewer

mains, and replacing and realigning of 4,618 feet (0.87 miles) of 8-inch, 10-inch, 12-inch, and 16-inch water mains which were installed as early as 1935. Also, this project includes slurry sealing of the impacted streets, and replacement of existing decorative pavers at El Prado as requested by the Park and Recreation Department. The streets within this project which will be affected by construction operations are: El Prado, President's Way, Pan American Road and West, Pan American Road East, and Pan American Way. The City's Park and Recreation Department, Metro Parks Division, will be notified by the City's Engineering and Capital Projects Department, at least one month prior to construction and again 10 days before construction begins by the contractor through hand distribution to the affected buildings. A Resource Protection Ordinance (RPO) permit is required because the project encroaches into sensitive habitat. Measures to mitigate the potentially adverse impacts are incorporated into the conditions of the RPO Permit.

Aud. Cert. 9901144.

WWF-99-389.

FILE LOCATION: Subitems A & B: W.O. 182251/172091, CONT - California Southwest Construction, Inc.

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203: Two actions related to Inviting Bids for the Construction of Sewer Group 636.

(Greater North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1249) ADOPTED AS RESOLUTION R-291626

Inviting bids for the Construction of Sewer Group 636 on Work Order No. 173401;

Authorizing the City Manager to establish contract funding phases and execute a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$2,305,650 from Sewer Fund No. 41506, CIP-44-001.0, provided the City Auditor first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K99226C)

Subitem-B: (R-99-1250) ADOPTED AS RESOLUTION R-291627

Certifying that the information contained in the Mitigated Negative Declaration LDR-98-0995, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council;

Declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study;

Approving the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sewer Group 636 is part of the City's on-going concrete sewer main replacement program. The sewer mains to be replaced by this project were constructed as early as 1929 and have approached the end of their useful service life. This work will alleviate sewer stoppages and breaks in the existing system by replacing the old, deteriorated pipes with 10,650 feet of new sewer mains in the Greater North Park Community Area. All of the existing pipelines that are currently inaccessible will be replaced with new pipelines in the right-of-way along with re-plumbing of the private sewer services to allow for periodic maintenance. This project also includes street resurfacing or slurry sealing for all of the areas where new sewer facilities are installed. The following streets will be affected by construction operations: Florida Street, Howard Avenue,

Lincoln Avenue, Myrtle Avenue, Cypress Avenue, Georgia Street, Wilshire Terrace, Robinson Avenue, and Indiana Street. Residents will be notified by mail at least one month before construction begins by the City's Engineering and Capital Projects Department and again ten days before construction begins by the contractor through hand distribution.

WWF-99-382.

FILE LOCATION: Subitems A & B: W.O. 173401, CONT - Southern California Underground, Inc.

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-204: Two actions related to Inviting Bids for the Construction of Sewer and Water Group 637.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1146) ADOPTED AS RESOLUTION R-291628

Inviting bids for the Construction of Sewer and Water Group 637 on Work Order Nos. 173471/183421;

Authorizing the execution of a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$421,240 from Water Fund 41500, CIP-73-083.0 and \$1,329,611 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation-Sewer Main Replacement, provided the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K99224C)

Subitem-B: (R-99-1147) ADOPTED AS RESOLUTION R-291629

Certifying that the information contained in the Mitigated Negative Declaration LDR-98-0849, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council;

Declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sewer and Water Group 637 is part of the City's on-going concrete sewer and cast iron water main replacement program. Sewer and Water Group 637 will replace 5,612 feet of six-inch (6") concrete sewer main, 1,824 feet of eight inch (8") concrete sewer main, 525 feet of six-inch (6") vitrified clay sewer main, 44 feet of eight-inch (8") vitrified clay sewer main, 361 feet of eight-inch (8") concrete water main, 80 feet of ten-inch (10") cast iron water main, and 1,186 feet of twelve-inch (12") C.I.C.L. water main. It also calls for the construction of 50 pedestrian ramps and the slurring and resurfacing of the impacted city streets. The following streets will be affected by the construction operations: Nimitz Boulevard, Chatsworth Boulevard, Tennyson Street, Quimby Street, Sterne Street, Capistrano Street, Poinsettia Street, Voltaire Street, Udall Street, and Clove Street. Residents will be notified by the City, via mail, at least (1) month prior to construction, and at least ten (10) days before the start of construction by the Contractor.

WWF-99-359.

FILE LOCATION: Subitems A & B: W.O. 173471/183421, CONT - Pacific Alliance Contractors

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-205: Two actions related to Inviting Bids for the Construction of Sewer Group 641.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1253) ADOPTED AS RESOLUTION R-291630

Inviting bids for the Construction of Sewer Group 641 on Work Order No. 173281;

Authorizing the City Manager to establish contract funding phases and execute a contract with the lowest responsible bidder, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller to return excess budgeted funds to the appropriate reserves;

Authorizing the expenditure of not to exceed \$3,102,655 from Sewer Fund 41506, CIP-44-001.0, provided the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K99230C)

Subitem-B: (R-99-1254) ADOPTED AS RESOLUTION R-291631

Certifying that the information contained in the Mitigated Negative Declaration LDR-96-7309, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the

declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council;

Declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sewer Group 641 is part of the City's on-going concrete sewer main replacement program. The sewer mains to be replaced by this project were constructed as early as 1923 and have approached the end of their useful service life. This work will alleviate sewer stoppages and breaks in the existing system by replacing the old, deteriorated pipes with 13,700 feet of new sewer mains in the La Jolla Community Area. All of the existing pipelines that are currently inaccessible will be replaced with new pipelines in the right-of-way along with the re-plumbing of the private sewer services to allow for periodic maintenance. Approximately 500 feet of the existing pipelines will be rehabilitated in-place to minimize the impacts to the community during construction. This project also includes street resurfacing for all of the areas where new sewer facilities are installed. The following streets will be affected by construction operations: Pearl Street, Girard Avenue, Drury Lane, Fay Avenue, Bishops Lane, Eads Avenue, Draper Avenue, Olivetas Avenue, Monte Vista Avenue, Glenview Lane, Arenas Street, Rushville Street, Fern Glenn, Belvedere Street, Westbourne Street, Bonair Way, Vista De La Playa, Dune Lane, Ravina Street, Marine Street, and Dunemere Drive. Residents will be notified by mail at least one month before the construction begins by the City's Engineering and Capital Projects Department and again ten days before construction begins by the contractor through hand distribution.

WWF-99-381.

FILE LOCATION: Subitems A & B: W.O. 173281, CONT - BRH Garver, Inc.

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206: Two actions related to Inviting Bids for the Construction of Sewer Group 647.

(Mid City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1251) ADOPTED AS RESOLUTION R-291632

Inviting bids for the Construction of Sewer Group 647 on Work Order No. 175101;

Authorizing the execution of a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$1,101,000 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation-Sewer Main Replacements, provided the City Auditor and Comptroller first furnishes a certificate demonstrating the funds necessary for the expenditure are, or will be on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K99231C)

Subitem-B: (R-99-1252) ADOPTED AS RESOLUTION R-291633

Certifying that the information contained in the Mitigated Negative Declaration LDR-99-0018, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the public review process, has been reviewed and considered by Council;

Declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sewer Replacement Group 647 is part of the City's concrete sewer main replacement program. This project is in the Mid City Community area and consists of replacing approximately 5,718 feet (1.08 miles) of 8-inch sewer main. The streets within this project which will be affected by construction operations are North Talmadge Drive, West Talmadge Drive, East Talmadge Drive, Short Street, Madison Avenue, and Van Dyke Avenue. Residents will be notified by mail at least one (1) month before construction begins by the City's Engineering and Capital Projects Department and again 10 days before construction begins by the contractor through hand distribution. Also, this project includes the construction of eight (8) pedestrian ramps and slurry sealing of the impacted streets.

WWF-99-379.

FILE LOCATION: Subitems A & B: W.O. 175101, CONT - Southern California Underground Contractors

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-207: Two actions related to Inviting Bids for the Construction of Sewer and Water Group 671.

(Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1255) ADOPTED AS RESOLUTION R-291634

Inviting bids for the Construction of Sewer and Water Group 671 on Work Order Nos. 174081/183811;

Authorizing the execution of a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$964,775 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation-Sewer Main Replacements, and \$548,495 from CIP-73-083.0, Water Fund 41500, Annual Allocation-Water Main Replacements, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K99229C)

Subitem-B: (R-99-1256) ADOPTED AS RESOLUTION R-291635

Certifying that the information contained in the Mitigated Negative Declaration LDR-99-0154, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council;

Declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sewer and Water Replacement Group 671 is part of the City of San Diego's continuing Annual Sewer and Water Main Replacement Program. This project is in the Uptown Community area and consists of constructing approximately 4,865 linear feet of new sewer main and 1,970 linear feet of water main. Also, this project includes the construction of 27 pedestrian ramps and slurry sealing of the impacted streets. The streets within this project which will be affected by

construction operations are Keating Street, Titus Street, Pringle Street, Linwood Street, Guy Street, Torrance Street, Neale Street, Portola Place, and Washington Place. Residents will be notified by mail at least one month before construction begins by the City's Engineering and Capital Projects Department and again 10 days before construction begins by the contractor through hand distribution.

WWF-99-380.

FILE LOCATION: Subitems A & B: CONT - Orion Construction; W.O.
174081/183811

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-208: Two actions related to Inviting Bids for the Construction of Water and Sewer Group 674.

(Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1257) ADOPTED AS RESOLUTION R-291636

Inviting bids for the Construction of Water and Sewer Group 674 on Work Order Nos. 174071/183801;

Authorizing the execution of a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$1,137,950 from CIP-44-001.0, Sewer Fund 41506, Annual Allocation-Sewer Main Replacement and \$535,150 from CIP-73-083.0, Water Fund 41500, Annual Allocation-Water Main

Replacements, provided the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K99227C)

Subitem-B: (R-99-1258) ADOPTED AS RESOLUTION R-291637

Certifying that the information contained in the Mitigated Negative Declaration LDR-96-0718, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council;

Declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Water and Sewer Replacement Group 674 is part of the City of San Diego's continuing Annual Sewer and Water Main Replacement Program. This project is in the Uptown community area and consists of replacing approximately 6,191 feet (1.17 miles) of 6-inch concrete sewer main and 2,323 feet (0.44 miles) of 10-inch cast iron Water main. It also calls for the construction of 34 pedestrian ramps and the slurring of the impacted asphalt concrete streets. The streets within this project which will be affected by construction operations are: Bush Street, Wellborn Street, Pioneer Place, Dana Place, Lark Street, Neal Street, Torrance Street, Pennsylvania Avenue, Puterbaugh Street, Walnut Avenue, Kite Street, Brookes Avenue, and Jackdaw Street. Residents will be notified by mail at least one month before construction begins by the City Engineering and Capital Projects Department and again 10 days before construction begins by the contractor through hand distribution.

WWF-99-386.

FILE LOCATION: Subitems A & B: W.O. 174071/183801, CONT - Ortiz Corporation

COUNCIL ACTION: (Tape location: B040-180.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-209: Coastal Housing Compliance for 7518-7534 Draper Avenue.

(See Housing Commission Report HCR-99-003. La Jolla Community Area. District-1.)

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1161) ADOPTED AS RESOLUTION R-291638

Accepting the Housing Commission's Coastal Housing Compliance Permit Determination for property located at 7518-7534 Draper Avenue.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B181-C177.)

MOTION BY MATHIS TO ADOPT THE RESOLUTION, GIVE CONFIRMATION FOR THE TEN UNITS, AND DIRECT THE HOUSING COMMISSION, AS PART OF THE NEGOTIATIONS WITH THE DEVELOPER, TO NEGOTIATE A SATISFACTORY RELOCATION ARRANGEMENT FOR THE TENANTS. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330: Exclusive Sale - San Diego County Humane Society and S.P.C.A. - City-Owned Land at 887 Sherman Street.

(Morena Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1021) ADOPTED AS RESOLUTION R-291639

Authorizing the exclusive sale of a portion of Pueblo Lots 282 and 303 and a portion of Lots 11 through 29 in Block 1 of Vernon Park, Map-569;

Authorizing the execution of a grant deed, granting to San Diego Humane Society & S.P.C.A., all the City's right, title and interest in a portion of Pueblo Lots 282 and 303 and a portion of Lots 11 through 29 in Block 1 of Vernon Park, Map-569.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego County Humane Society & S.P.C.A. has leased 0.97 acre of City-owned land at 887 Sherman Street since 1951 at a nominal \$780 yearly rental for an animal shelter. In 1978, an adjacent 1.15 acre vacant City-owned parcel, of which only 0.25 acre is usable, was added under separate lease for additional parking, the current yearly rental being \$4,902. Both leases expire next year. During negotiations for lease renewal, City and Humane Society staff discussed the feasibility of the Society purchasing its leasehold from the City at fair market value, as opposed to a new lease at a reduced nonprofit rental rate. A City staff appraisal was conducted and determined the total fair market value of both parcels to be \$590,500, as of December 17, 1998. The Humane Society operates entirely on donations and provides numerous services to the community, such as animal abuse investigations, animal control, and educational programs. These services are valued in excess of \$2 million per year, some of which would otherwise be an obligation of the City to perform. Since the Humane Society would qualify for a new lease at a substantially reduced rental rate under Council Policy 700-12, a sale of the property at fair market value will generate more revenue to the City than continuing to lease. A sale is therefore recommended. Even if the Humane Society purchases property elsewhere for expansion, the Society still plans to retain the Sherman Street property for an animal hospital and related uses.

FILE LOCATION: DEED F-7489

COUNCIL ACTION: (Tape location: B040-180.)

Mayor Golding announced that the hearing was closed.

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

CLOSED SESSION ACTION:

ITEM-CS-1: (R-99-1367) ADOPTED AS RESOLUTION R-291589

A Resolution adopted by the City Council in Closed Session on May 18, 1999:

Authorizing the City Manager to pay the sum of \$125,000 in the amendment of the Retainer Agreement by and between The City of San Diego and LONG, ALDRIGE & NORMAN, for consulting services concerning a proposed new ballpark by \$125,000; authorizing the City Auditor and Comptroller to issue one check in the amount of \$125,000 for that purpose.

FILE LOCATION: MEET

Aud. Cert. 9901195

ITEM-CS-2: (R-99-1368) ADOPTED AS RESOLUTION R-291590

A Resolution adopted by the City Council in Closed Session on May 18, 1999:

Authorizing the City Manager to pay the sum of \$125,000 in the amendment of the Retainer Agreement by and between The City of San Diego and JACOBS, CHASE, FRICK, KLEINKOPF & KELLEY, for consulting services concerning a proposed new ballpark by \$125,000; authorizing the City Auditor and Comptroller to issue one check in the amount of \$125,000 for that purpose.

FILE LOCATION: MEET

Aud. Cert. 9901194

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 12:03 p.m. in honor of the memory of Dr. Lisa Hirschman, as requested by Council Member Stallings.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C391-414.)